APPENDIX M

Polk County Adoption Ordinance

MEETING NOTICE

09-23-09 A11:49 IN

POLK COUNTY PLANNING COMMISSION
SEPTEMBER 29, 2009 AT 7:00 P.M.
POLK COUNTY COURTHOUSE
FIRST FLOOR CONFERENCE ROOM
850 MAIN STREET
DALLAS, OREGON

AGENDA

1. CALL TO ORDER AND NOTE OF ATTENDANCE
2. COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA
3. MINUTES OF SEPTEMBER 15, 2009
4. PUBLIC HEARING ON LA 09-02
5. COMMUNICATIONS FROM THE COMMITTEE FOR CITIZEN INVOLVEMENT
6. COMMUNICATIONS FROM PLANNING COMMISSION
7. COMMUNICATIONS FROM PLANNING STAFF
8. ADJOURNMENT

MEMORANDUM

TO: Polk County Planning Commission

FROM: Ken Husby
Public Works Director/County Engineer

DATE: September 21, 2009

SUBJECT: Polk County Road System Functional Classifications and Recommended Changes for inclusion into the Polk County Transportation System Plan 2009 Edition.

At a recent Polk County Planning Commission meeting, the discussion included requests from constituents and members of the TSP Citizens Advisory Committee regarding the functional classification of several Polk County roads. Specifically, it was requested that two Local Roads, Reuben Boise Road and Pioneer Road be reclassified as Minor Collectors, or perhaps as Resource Roads. (Please refer to the attached excerpt from the Polk County Public Works Road Standards 1998 for a description of each road classification).

Neither Reuben Boise Road nor Pioneer Road should be classified as collectors. Each is a Local Road feeding traffic from abutting properties to Ellendale Road, a Major Collector in this area. However, it would be appropriate to reclassify Reuben Boise as a Resource Road, as it connects timber areas to Ellendale Road, which becomes a Minor Arterial east of James Howe Road. We propose to show Reuben Boise Road as a Resource Road on the Functional Classification Map within the 2009 TSP.

There are other recommended changes in functional classification we are recommending for the 2009 TSP. Please refer to the table below:

Recommended Changes in Functional Classifications for the 2009 TSP:

Downgrade	ADT*	From	To
Gage Road	91	Minor Collector	Resource Road
Gardner Road	183	Minor Collector	Resource Road
Enterprise Road	188	Major Collector	Minor Collector
Oak Grove Road *Orchard Hts to Farmer Rd*	326	Major Collector	Minor Collector
Rickreall Road *East of Greenwood Rd*	360	Major Collector	Minor Collector

*Average Daily Traffic (2007 & 2008)

Each of the downgrade recommendations are based on the low volume of traffic each road, which is too low to be classified in the current category shown.

Upgrade	ADT*	From	To
Bethel Heights Road	438	Local Road	Resource Road
Stapleton Road *Talmadge Rd to Helmick Rd*	848	Local Road	Minor Collector
Fire Hall Road	127	Local Road	Resource Road
Reuben Boise Road	271	Local Road	Resource Road

*Average Daily Traffic (2007 & 2008)

The Stapleton Road upgrade is based on the higher volumes it is now carrying, providing connectivity to a Major Arterial, OR99.

The Bethel Heights Road upgrade to a Resource Road is its connectivity to the agricultural industry, including Christmas tree farming, vineyards, and wineries.

We recommend your approval/endorsement of these changes to the TSP roadway classifictions.

FUNCTIONAL CLASSIFICATION

The classification of each roadway in the county road system shall be based on the function it serves at present and its anticipated function in the future. These functional classifications are as follows:

A. Principal Arterials are major urban and rural highways connecting communities, towns, and cities. The principal arterial provides for through traffic movement and distribution to lower order roadways. Direct access to abutting properties shall be limited and controlled. On roadway parking shall, in general, be prohibited. Principal arterial roadways fall primarily under state highway jurisdiction.

B. Minor Arterials connect areas of principal traffic generation to major urban and rural highways. The minor arterial network provides for through traffic movement to the major arterials and distribution into the network of collector and local streets. Arterials are subject to regulation and control of parking, turning movements, and access to abutting properties.

C. Major Collectors carry local traffic between neighborhood areas to arterial facilities. The major collector provides access from minor collectors to community services and to other neighborhoods within, or immediately adjacent to, urban areas. Major collectors may have controlled access to abutting property and controlled parking.

D. Minor Collectors serve as links between the local street system and the higher order roadways. Minor collectors carry traffic between minor traffic generators, such as neighborhood shopping and community centers and schools. Minor collectors may have controlled parking and controlled access to abutting property (see Standard Drawing 0033).

E. Resource Roads provide a connection between resource areas, and principal and minor arterials. These roadways are generally rural and provide access to agricultural and timber roadways, to facilitate movement of goods and services. Resource roads provide an important and needed function in serving areas that contribute to the economic base of the community even though they may have low volumes of traffic.

F. Local Roads and Streets provide direct access to abutting property. Through traffic will be discouraged on local streets. Curb-side parking will be permitted on streets that have a 34 foot wide roadway (see Standard Drawings 0007 and 0040). In urban areas, parking along local roads may be permitted if there is a 7 foot wide parking strip located beyond the shoulder (see Standard Drawing 0040).

The terms "urban" and "rural" are used in conjunction with functional classification designations to denote the location of roads relative to an adopted Urban Growth Boundary (UGB). For example. the portion of a minor collector road lying inside a UGB would be designated as an Urban Minor Collector in the County's Road Inventory. The portion of such a road lying outside of a UGB would be designated as a Rural Minor Collector.

Polk County Planning Commission
Polk County Courthouse
First Floor Conference Room
850 Main Street
Dallas, Oregon
August 4, 2009

The following are the minutes of the Polk County Planning Commission meeting held September 15, 2009, in Dallas, Oregon:

1. CALL TO ORDER AND NOTE OF ATTENDANCE:

Jim Morrison called the meeting to order at 7:00 p.m. and noted attendance.

Present: Jim Morrison, Wayne Simmons, Bill Farmer and Lee Herzberg.

Absent: Chairman Bob Slyh, Michael Schilling and Jack Condon.

Staff: Austin McGuigan, Dana Gibson, Jim Jacks (MWVCOG) and Rick Davisson.

2. COMMUNICATION FROM THE PUBLIC AND ITEMS NOT ON THE AGENDA:

None.

3. MINUTES OF AUGUST 4, 2009:

Farmer motioned to adopt the minutes, seconded by Simmons. The minutes of August 4, 2009 were approved by unanimous vote of those present.

4. PUBLIC HEARING ON LA 09-02:

Gibson read from the staff memo for Legislative Amendment 09-02; Transportation Systems Plan (TSP) Update. Gibson stated that since the staff report has been written, comments were received from ODOT Senior Transportation Planner, Dan Fricke. Gibson stated that based on the staff report and the Draft TSP, staff recommends that the Planning Commission forward to the Board of Commissioners (BOC) a recommendation to adopt the proposed amendments and associated findings. Jacks gave a presentation summarizing the Draft TSP.

Morrison opened the Public Hearing for testimony.

Don Duhrkopf stated that he has been involved with the TSP since it was developed and was a member of the Citizen Advisory Committee. Duhrkopf stated that in goal one, the same numbers are used as in goal two and three and he feels it would be easier if they were different. Durkopf stated that some of the policies are negative as far as economic development. Duhrkopf stated that if you turn to page 3-2, which states that Polk County shall discourage adding mileage to the county road system until the following criteria are satisfied. Duhrkopf feels that tends to drive people away. Duhrkopf added that we should be looking for ways to accommodate people who want to do things that impact the transportation system in Polk County, not prevent it. Duhrkopf stated that he would like to make the policies a little friendlier. Duhrkopf stated that functional classifications are not consistent and uniform. Duhrkopf stated that they have talked about cleaning up the ninety degree corners, but on Rueben Boise, there is 180 degree corner that is not being taken care of. He feels that Rueben Boise and Pioneer, which he counted has over 500 residences and a sub-division, should be at a higher classification. Duhrkopf added that the reason that he wants a higher classification because it may require repair and maintenance support greater than traffic counts would indicate. Duhrkopf stated that he could not find any traffic comps for Rueben Boise or Pioneer. He added that these roads play a critical roll in the counties economy and their use by heavy trucks requires additional work. Duhrkopf added that Reuben Boise and Pioneer have qualification just as much as Richardson Road and Mill Creek Road that are classified as minor collectors. Duhrkopf stated the he is pleased with the information provided for the North Dallas bypass.

Dennis Brown, property owner on Rueben Boise Road, stated that there was some property on Reuben Boise that is owned by Forest Capitol and Weyerhaeuser and in the last ten years, they have harvested out of the area. In the past ten years, approximately 17,000 truck loads of lumber have come from this area and about 4,000 truck loads of gravel for their access have gone up there. Brown feels this creates a lot of traffic and the amount of damage it does to the unimproved portion of Rueben Boise. Brown questioned why Rueben Boise is not even classified in the TSP and what would have to be done to upgrade that assessment.

Brian Sparks stated that he was following up on concerns that he had about what did not get into the plan as it relates to the county issues around the City of Monmouth. Sparks questioned if the TSP, because of the different schedules, anticipate and does it include the updates that were in the most recent Monmouth plan. McGuigan responded that the City of Monmouth was on the Technical Advisory Committee for this project. Sparks stated that the issue about how to get around the community as we try to thread more things through the center of the community. Sparks stated that plans seem to favor people walking in town, but don't anticipate that we still use these streets for a wide range of things such as getting combines through the community. Sparks added that getting combines or tractors through or around the community is difficult at this time. Sparks feels we do need a road through the county property on the northwest side of Monmouth; something in the planning process needs to help get agricultural equipment from the north side of Monmouth to the south side. Sparks added that there are creek and bridge issues and we are not building additional bridges, especially where traffic flow doesn't show they are needed. Sparks feels this is why traffic is slow south of Monmouth to Highway 22 because the agricultural community has no choice but to use that road. Sparks feels the Monmouth plan should have provided a northwest route loop to provide a way for traffic to get around the community, although having Falls City Highway go through to 99W is in the plan. Sparks feels that this is something that the county could overlay on the City of Monmouth's process. Sparks added that going south, if Ash Creek Drive east/west route becomes a higher level classification roadway, which is in their plan, that would provide a route to Falls City Highway and a north/south road going along the west side of the community to connect back in to the north would be good fro the community for emergency access.

Vern Ratzlaff stated that there is an area that he feels is a safety factor. On page 6-1 there is a section about bicycles and pedestrians and in the network paragraph, quite a few roads have designated bike paths, but there are other roads that are being use extensively for bike travel that do not have a bike lane. Airlie Road, Elkins Road, Maxfield Creek Road, for example, between the fog line and the gravel may be about 6 inches, so the bike traffic does not ride in that bike line. Ratzlaff added that the conditions are hilly and curvy and it is a hazard to have cyclists on the road. Ratzlaff stated that he has talked to the BOC about this problem and asked them to categorize the roads based on how compatible the bikes were on the road. For example, a road that has a separate bike would be a number one, the roads that are curvy that have hills and blind areas should be a lower category and insist that cyclists honor that. Ratzlaff suggests that we widen the shoulders in the future or limit the groups of riders to make it safe. Ratzlaff stated that some of the wording in the TSP is very specific and at other times it is vague. Ratzlaff added that if this is a potential 20 year guidance for the county, then the plan needs to be more consistent.

Morrison closed the public testimony.

Morrison questioned how the functional classifications of the streets are determined. McGuigan responded that it is a prioritization that occurs with Public Works in terms of how the county is going to allocate its maintenance budget in how it maintains particular roads and the specification of the road has to be constructed to meet. McGuigan added that all of these different classifications have different road design and maintenance standards that apply to them. McGuigan questioned Jacks if there were there any changes that were made to the functional classification since the 1998 TSP. Jacks stated that overall, there are not a lot of changes from the 1998 plan to this TSP draft. Jacks added that the functional classification that was assigned to these roads in 1998 carries forward through this 2009 update. Jacks stated that there were a couple of changes near the cities, for example Eola that did not used to run into 55th Ave., so now it is designated a local road and is a minor collector. Jacks added when it comes to less frequently traveled road, there wasn't much analysis done on those roads. Jacks

stated that given some of these roads that are on the resource list don't have as much traffic or serve as many people, there is a potential based on zoning, based on rural residential, something that the Planning Commission could consider is to add the roads that they feel are appropriate to the resource road classification. McGuigan summarized that the majority of the analysis that took place at the staff level was on changes around cities and making sure the functional classifications that Polk County designates were consistent with what the cities were doing with their TSP, proposed roads and changes and very little was done to look at the existing county road structure changes in terms of additional traffic, new substantial development of any other thing that could change how the road is being used. McGuigan added that if the Planning Commission wants to consider this, he recommends that they should invite the Public Works director to provide input and suggestions on some of the changes that are occurring and issues with some of these county roads. Morrison stated that if they use these classifications to determine what kinds of service the roads get, there should be a way to change the classification when those patterns change. McGuigan recommended that we invite the Public Works director to attend and open the public hearing process again to allow the Public Works director to provide some input on the roads that were identified by Mr. Duhrkopf and Mr. Brown as being a concern in terms of their functional classification and then allow testimony based on what the Public Works Director has to say and then the Planning Commission can deliberate. Farmer stated that they need to focus on other roads, not just the ones talked about tonight. Simmons commented that recreational use of the roads, such as skate boarding, has become a problem. McGuigan responded that the BOC had designated specific roads so that people cannot skateboard on it and Sherriff's Department can enforce on that.

Ratzlaff stated on page 4-11, the width criteria is identified for several different roads, such as major arterial or minor collector. But, to put in a new public road that is a major arterial, there needs to be some specific criteria for right of way and developed road. McGuigan added that those are Polk County road standards.

McGuigan stated that we are operating under a grant to perform this work and we are under a tight timeline in completing a final product and adoption in order to comply with the grant agreement. As a result of that timeline, a BOC public hearing has been scheduled for September 30, 2009. McGuigan added that if the Planning Commission deliberates on September 29, 2009 we can carry that message to the BOC at their public hearing and we can express any changes to the BOC and allow the BOC staff some additional time if there are any changes to be made. Morrison responded that a Planning Commission meeting should be scheduled for September 29, 2009. Morrison requested to leave the record open for written testimony until September 22, 2009. McGuigan added that we could allow some discussions from the Public Works Director on concerns that he Planning Commission may have and then allow the public an opportunity to provide oral testimony. McGuigan stated that any written testimony must be provided to the Community Development Department by no later than 5:00 pm on Tuesday, September 22, 2009. The Planning Commission will convene again on Tuesday September 29, 2009 at 7:00 pm with the Public Works Director present and we will have an opportunity again for public comment and the public testimony component will be closed and the Planning Commission will deliberate. McGuigan added that we need to have a final product from the BOC by November 1, 2009 in order to receive payment for the grant.

Morrison stated that he would like to address Ratzlaff's concern about bike safety. Morrison stated that he lives on the race route near Burns. Morrison requested if we use the shared shoulder in Polk County because we have to comply with Oregon Revised Statutes. McGuigan responded that it is Oregon State law that we have to share the road and Polk County does not designate bike routes on roads that have narrow shoulders for liability reasons and the BOC receives a lot of pressure to designate bike routes through rural roads and they have not been comfortable doing that. McGuigan stated that functional road classifications do require certain specifications for bike widths in some locations. Closer to some of the urban areas, we designate roads with road classifications when improvements are made to those roads, those bicycle shoulder accommodations would have to be made. In terms of designating bike routes through the county on roads that have narrow shoulders, the county does not take that practice in labeling them as bike routes, however you can't keep cyclists from using those roads and they are required to follow all the traffic laws.

Jacks stated that there a few things in the TSP, such as spelling errors will be changed and a memo will be submitted into the record.

Morrison closed the Public Hearing for September 15, 2009.

5. COMMUNIATIONS FROM THE COMMITTEE FOR CITIZEN INVOLVEMENT:

None.

6. COMMUNICATIONS FROM PLANNING COMMISSION:

None.

7. COMMUNICATION FROM PLANNING STAFF:

None.

8. ADJOURNMENT:

The meeting was adjourned at 8:31 p.m.

BEFORE THE BOARD OF COMMISSIONERS FOR POLK COUNTY, OREGON

In the matter of Legislative Amendment LA 09-02 Update of the Polk County Transportation Systems Plan including Amending the Transportation Element of the Polk County Comprehensive Plan, Polk County Zoning Ordinance Chapter 111 – Administration and Procedures and Chapter 112 - Development Standards

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk
Commissioners' Journal
CJ 2009-354
12/08/2009 10:35:25 AM

ORDINANCE NO. 09-08

WHEREAS, the 1998 Polk County Transportation Systems Plan requires updating for the next 20 year planning horizon; and

WHEREAS, on July 21, 2009, Polk County initiated the proposed legislative amendment (Legislative Amendment 09-02) to update the Transportation Systems Plan; and

WHEREAS, on July 17, 2009 a duly noticed open house was held providing opportunity for comments from the public; and

WHEREAS, on September 15, 2009 the Polk County Planning Commission conducted a duly noticed public hearing and received an unlimited amount of written and oral testimony and continued the public hearing until September 29, 2009; and

WHEREAS, on September 29, 2009 the Polk County Planning Commission deliberated on the proposed amendment and voted unanimously to recommend approval of Legislative Amendment 09-02 to the Polk County Board of Commissioners; and

WHEREAS, on September 30, 2009 the Board of Commissioners conducted a duly noticed public hearing and received a recommendation in support of Legislative Amendment 09-02 from the Polk County Planning Division staff and received written and oral testimony and continued the public hearing until October 7, 2009; and

WHEREAS, on October 7, 2009 the Board of Commissioners requested additional time to review the record, and the record was held open until October 20, 2009; and

WHEREAS, on October 21, 2009 the Board of Commissioners conducted a duly noticed public hearing and received an unlimited amount of written and oral testimony; and

WHEREAS, on October 21, 2009 having fully considered all testimony in the record, the Polk County Board of Commissioners openly deliberated on Legislative Amendment 09-02 and voted unanimously to approve the updated Transportation Systems Plan; now therefore,

THE POLK COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

Sec. 1 Adopt findings in support of Polk County Planning File, LA 09-020, contained in the staff report, and the final updates found in the Polk County Transportation Systems Plan, dated December 2, 2009.

Sec. 2 The existing Transportation Element (Element M) of the Polk County Comprehensive Plan be deleted in its entirety and replaced with the Polk County Transportation Systems Plan, dated December 2, 2009, see Exhibit "A".

Sec. 3 Polk County adopts amendments to Polk County Zoning Ordinance Chapter 111 - Administration and Procedures and Chapter 112 - Development Standards of the Polk County Zoning Ordinance be added, see Exhibit "B1" AND "B2".

Sec. 4 That Polk County determines that an emergency related to the economic welfare of the citizens of Polk County is declared and this ordinance is effective immediately upon passage.

Dated this 2nd day of December 2009 at Dallas, Oregon.

POLK COUNTY BOARD OF COMMISSIONERS

Tom Ritchey

Tom Ritchey, Chair

Ron Dodge, Commissioner

unavailable for signature

Mike Propes, Commissioner

Approved as to Form:

David Doyle
County Counsel

First Reading: 12-2-09
Second Reading: 12-2-09
Recording Secretary:

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